

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Daniel Gutierrez and Kassandra  
Gutierrez,

Plaintiffs,

vs.

Smith International, Inc.; Halliburton  
Energy Services, Inc.; Enerplus Resources  
(USA) Corporation; Decca Consulting, Inc.;  
Ensign United States Drilling, Inc.;  
Wyoming Casing Service, Inc.; Hal  
Curlett, individually,

Defendants.

**ORDER**

Case No. 1-17-cv-02

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On November 17, 2017, Plaintiffs filed a First Amended Complaint without proper leave from the court. (Doc. No 44). Thereafter, Plaintiffs properly moved the court for such leave on November 21, 2017. (Doc. No. 45). The court granted that motion on November 27, 2017. (Doc. No. 46). To date, Plaintiffs have not properly refiled their First Amended Complaint. The Plaintiffs are directed to refile their First Amended Complaint with the court on or before January 12, 2018.<sup>1</sup>

**IT IS SO ORDERED.**

Dated this 5th day of January, 2018.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr., Magistrate Judge  
United States District Court

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<sup>1</sup>Defendant Halliburton Energy Services, Inc. filed its answer to the improperly filed First Amended Complaint on January 2, 2018. (Doc. No. 47). Because the complaint to which it was responding was improperly filed, Halliburton will need to refile its answer to the First Amended Complaint once Plaintiffs have properly filed it.